INDEX

	Page
Opinion below	1
Jurisdiction	1
Questions presented	2
Statutes involved	2
Statement	4
Argument	8
Conclusion	17

CITATIONS

Cases:

Bowman Dairy Co. v. *United States*, 341 U.S. 214	13
Brown v. *Elliott*, 225 U.S. 392	17
Bush v. *United States*, 16 F. 2d 709	16
C.I.T. Corporation v. *United States*, 150 F. 2d 85	10
Delaney v. *United States*, 263 U.S. 586	15
Fisher v. *United States*, 231 F. 2d 99	14
Fiswick v. *United States*, 329 U.S. 211	17
Gold v. *United States*, 237 F. 2d 764, reversed, 352 U.S. 985	14
Jordan v. *DeGeorge*, 341 U.S. 223	14
Jencks v. *United States*, 353 U.S. 657	13
Kann v. *United States*, 323 U.S. 88	15
Kotteakos v. *United States*, 328 U.S. 750	9
Little v. *United States*, 73 F. 2d 861	10
Nye & Nissen v. *United States*, 336 U.S. 613	9
Sealfon v. *United States*, 332 U.S. 575	15
Todorow v. *United States*, 173 F. 2d 439, certiorari denied, 337 U.S. 925	14
United States v. *Baker*, 24 Fed. Cas. No. 14,499	16
United States v. *Bazzell*, 187 F. 2d 878, certiorari denied, 342 U.S. 849	15
United States v. *Boyden*, 24 Fed. Cas. No. 14,632	16
United States v. *Johnson*, 319 U.S. 503	15
United States v. *Petti*, 168 F. 2d 221	15
Weiler v. *United States*, 323 U.S. 606	14

Statutes and rules:

18 U.S.C. 2	3, 4
18 U.S.C. 371	2

Statutes—Continued

	Page
18 U.S.C. 1001	14
18 U.S.C. 1010	3, 4, 13, 14
18 U.S.C. (Supp. V) 3500	13
18 U.S.C. 3282	16
Federal Rules of Criminal Procedure:	
Rule 16	12
Rule 17(c)	12, 13
Rule 30	11

In the Supreme Court of the United States

OCTOBER TERM, 1958

No. 156

IRVING SHAYNE, PETITIONER,

v.

UNITED STATES OF AMERICA

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

BRIEF FOR THE UNITED STATES IN OPPOSITION

OPINION BELOW

The opinion of the Court of Appeals (Vol. XIX, 3-10) [1] is not yet reported.

JURISDICTION

The judgment of the Court of Appeals was entered on May 10, 1958, and a petition for rehearing was denied on June 9, 1958 (Vol. XIX, 11, 12). The petition for a writ of certiorari was filed on July 7, 1958. The jurisdiction of this Court is invoked under 28 U.S.C. 1254(1).

---

[1] The record is in 19 volumes, which will be referred to by their volume numbers, except in the case of the trial transcript references (Volumes II through XVIII), which will be referred to as "R.".

QUESTIONS PRESENTED

1. Whether petitioner and his co-defendant were improperly charged with multiple conspiracies in a single conspiracy count.

2. Whether the trial court erred in sending a conspiracy indictment to the jury without also including a bill of particulars.

3. Whether the trial court erred in an instruction to the jury.

4. Whether the indictment was defective in failing to inform petitioner of the nature of the accusation against him.

5. Whether the trial court acted within its discretion in refusing various pre-trial motions for production of Government evidence.

6. Whether the statute proscribing knowing false statements in influencing action of the Federal Housing Administration regarding insured loans (18 U.S.C. 1010) is void for vagueness.

7. Whether the trial court erred in failing to instruct that the two-witness rule in perjury cases is applicable to 18 U.S.C. 1010.

8. Whether the evidence was sufficient to support petitioner's conviction for conspiracy, despite his acquittal under substantive counts.

9. Whether the trial court properly denied a motion for a new trial.

10. Whether the petitioner's conviction under the conspiracy count was barred by the then-existing three-year statute of limitations.

STATUTES INVOLVED

18 U.S.C. 371 provides:

> If two or more persons conspire either to commit any offense against the United States, or to de-

fraud the United States, or any agency thereof in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined not more than $10,000 or imprisoned not more than five years, or both.

* * * * *

18 U.S.C. 1010 provides:

Whoever, for the purpose of obtaining any loan or advance of credit from any person, partnership, association, or corporation with the intent that such loan or advance of credit shall be offered to or accepted by the Federal Housing Administration for insurance, or for the purpose of obtaining any extension or renewal of any loan, advance of credit, or mortgage insured by such Administration, or the acceptance, release, or substitution of any security on such a loan, advance of credit, or for the purpose of influencing in any way the action of such Administration, makes, passes, utters, or publishes any statement, knowing the same to be false, or alters, forges, or counterfeits any instrument, paper, or document, or utters, publishes, or passes as true any instrument, paper, or document, knowing it to have been altered, forged, or counterfeited, or willfully overvalues any security, asset, or income, shall be fined not more than $5,000 or imprisoned not more than two years, or both.

18 U.S.C. 2 provides:

(a) Whoever commits an offense against the United States or aids, abets, counsels, commands,

induces or procures its commission, is punishable as a principal.

(b) Whoever willfully causes an act to be done which if directly performed by him or another would be an offense against the United States, is punishable as a principal.

STATEMENT

1. Max Shayne (now deceased) and his brother Irving Shayne, the petitioner, were charged in count I of an indictment returned in the United States District Court for the Southern District of California with conspiring from June 1952 to April 1953 with other persons (a) to defraud the United States by causing the Federal Housing Administration to insure loans for home improvements by reason of false and fraudulent written statements and (b) to commit offenses against the United States in violation of 18 U.S.C. 1010 and 18 U.S.C. 2 (*supra*, pp. 3-4) by causing false statements to be passed to lending institutions for the purpose of obtaining F.H.A.-insured loans.

It was alleged that as part of the conspiracy the defendants would induce home owners as "applicant-borrowers" to execute F.H.A. Title I credit applications, falsely stating that the applicants would use the proceeds of the loans to improve their property, whereas they intended to use the proceeds for other unauthorized purposes. It was also alleged that as part of the conspiracy the defendants, as salesmen for certain home improvement companies, would arrange for such work as was ordered to be performed by "subcontractors"; that the subcontractors would not perform the work, but defendants would submit false invoices from the subcontractors to the home improvement compa-

nies stating that the work had been completed, and defendants would acquire for their personal gain the money represented by the invoices (Vol. I, 2-5).

Counts II, III, and IV charged both defendants with substantive violations in relation to particular applicants and counts V to IX charged substantive violations against Max Shayne alone (Vol. I, 9-13).

The jury found Max Shayne guilty on Counts I, II, III, V, VI, VII, and IX, and the petitioner guilty on Count I (Vol. I, 207, 208). Petitioner was sentenced to imprisonment for five years (Vol. I, 234). On appeal (Vol. I, 235-236), petitioner's conviction was unanimously affirmed (Vol. XIX, 11). Max Shayne died during pendency of the appeal.

2. The general pattern of procedure adopted by the two defendants is shown by their dealings in relation to the Thompson, Green, and Drakes transactions (Counts II, III, IV).

a. *Thompson account*—In the spring of 1953, Archie Thompson and his wife, Viola Thompson, resided in a house behind a restaurant at 10962 South Avalon Boulevard in Los Angeles. They owned a home at 5126 Towne Avenue (R. 3, 12). While Thompson was working on a roof for the dining room of the restaurant, Max Shayne and petitioner said that they could get him a few thousand dollars to finish the building (R. 4-7). A few days later, the Thompsons signed a Title I credit application (Ex. 1-I) on the home at 5126 Towne Avenue; the application had been filled in by Viola on instructions from the Shaynes (R. 10-16, 43, 59-61, 78). The Shaynes directed the Thompsons to take the credit application to a bank, together with an estimate by Clipper and Sons which

the Shaynes had furnished for work to be done on the Towne Avenue house (R. 16-17, 20, Ex. 3-II).

Several days later, the Thompsons went to the bank, signed a loan note (Ex. 2-II), and received a check for $2395, which was deposited to their bank account. Viola Thompson's personal check for $895 (Ex. 4-II) was delivered to petitioner (R. 17-19, 21, 23-24, 47, 50, 54-56, 62, 64-65, 1608-1609). Originally the Shaynes had stated that the fee for obtaining the loan would be several hundred dollars, but later petitioner insisted on the $895 fee reflected by the check (R. 24-25, 29, 75). Irving Wolf, a brother-in-law of the Shaynes, received the $895 check from one of them and cashed it. Wolf delivered the money to the home of one of the Shaynes, but did not remember which brother it was. (R. 88-89).

None of the money was used for work on the Towne Avenue house, and no work in the Albert Clipper estimate (Ex. 3-II) was performed by Clipper or anyone else. This work had been done by Archie Thompson himself at an earlier date (R. 26-28).

b. *Green account*—In June 1952, the Shayne brothers called upon Henry and Martha Green at their home (R. 99-100, 105). Green explained to both Shaynes that he was about six or eight payments behind on his home mortgage, that he had not had any regular employment between 1949 and 1952, and that he needed $800 to save his home from foreclosure (R. 103-104, 106-107). Max Shayne said: "* * * I will get you $800 if you will agree to pay back $1600.00" (R. 109).

A bank F.H.A. loan with net proceeds for $1600 was issued in accordance with a Title I credit application

(Ex. 5-III) in the names of "Harry Greene" and "Margaret Greene" (R. 1621-1624). The Shayne brothers went to the Green home again, and Max Shayne gave Green eight one-hundred dollar bills (R. 112-113). Green testified that, in the conversation with the Shaynes, no mention was made of work to be done on his home and no such work was ever performed (R. 118). When Green was shown a subcontractor's invoice from Smith & Co. (Ex. 9-III), he stated that the address shown was that of his home, but that none of the work described had been done on his premises (R. 121-122).

Green denied that he was ever asked to sign papers for the loan. He testified that his wife signed some papers on the occasion when they received the eight one-hundred dollar bills (R. 111, 113). Green denied that the credit application (Ex. 5-III) bore genuine signatures either of himself or his wife, and denied that the contract with Commercial Improvement Company (Ex. 7-A-III and 7-B-III; R. 1081) had been signed by his wife or by him (R. 117, 120).

The Shaynes brought the Green account to Commercial Improvement Company and selected the subcontractor, Smith & Co., whose invoice (Ex. 9-III) was paid by Commercial (Ex. 65-III). Nathanson, Commercial's vice-president, had no personal knowledge of, and never sent work out to, this subcontractor. The Shaynes received $466.66 commission on this account (R. 1080-1088, 1260-1261).

c. *Drakes account*—In October 1952, Moshell Drakes, who resided at 620 E. 89 Street, was visited by a person whom she knew as the "Money Man" from a business card (Ex. 14-IV) used by the Shaynes (R. 171, 173,

177, 202, 214-215). Mrs. Drakes and her husband signed for the "Money Man" a Title I credit application (Ex. 11-IV), a contract with Commercial Improvement Company (Ex. 12-IV), and a completion certificate (Ex. 13-IV) covering certain work (R. 173, 175-176). On a later occasion, the "Money Man" delivered to the Drakes eight one-hundred dollar bills (R. 178-179, 586). The Drakes used the $800 to pay personal bills (R. 193-196, 579).

In regard to the Commercial Improvement Company contract (Ex. 12-IV), the porch work listed in the first paragraph was performed, but the interior work had been done before the Drakes met the "Money Man", and the last paragraph was added after the contract had been signed (R. 179-181, 192-193). The proceeds of $1390 for the Drakes' loan was deposited to the account of Commercial Improvement Company (R. 262-264).

James Marsh, a carpenter hired by petitioner to do the porch work on the Drakes' home, made an estimate (Ex. 21-IV) in which he left out the price at petitioner's request (R. 202-205). Marsh testified that parts of this exhibit were not his handwriting (R. 206-207). He stated that he did not charge $1030 as represented by this exhibit for the work done, but charged $228 which he received in cash from petitioner as shown by his (Marsh's) work book (Ex. 22-IV; R. 208-210). The check of the Commercial Improvement Company for this $1030 was not endorsed by Marsh or cashed by him (R. 212-213).

ARGUMENT

None of petitioner's numerous objections to his conviction, which was unanimously affirmed by the Court of Appeals, presents a question calling for review by

this Court. The decision below is correct; there is no conflict; and no other reason appears for the grant of certiorari.

1. Petitioner first contends that he and Max Shayne were erroneously charged with multiple conspiracies in a single conspiracy count, contrary to the rule of *Kotteakos* v. *United States,* 328 U. S. 750 (Pet. 10). It is clear, however, that the two operated together in a single continuing scheme to submit false claims in respect to FHA Title I loans, with knowledge that the money so procured would not be used for home improvements. Cf. *Nye & Nissen* v. *United States,* 336 U. S. 613, 616-617. Unlike *Kotteakos,* where Brown, the central key figure, was not before the court, the individual home owners were not defendants here. The holding of *Kotteakos* is that such individual owners are not in conspiracy with each other even though they act through the same man. That ruling does not apply to the perpetrators of the whole plan, working in concert with each other.

At the trial, furthermore, the defendants did not urge that they were improperly charged with multiple conspiracies and the court's charge to the jury treated the conspiracy as single (R. 2424-2434, 2453-2454). The multiple conspiracy argument is an afterthought.

2. Count I of the indictment on conspiracy charged that petitioner and Max Shayne conspired "together and with other persons, whose names are to the grand jury unknown" (Vol. I, 2). A bill of particulars, furnished by the Government prior to trial, contains this statement: "The Government will not contend at the trial that any other persons were co-conspirators with the defendants" (Vol. I, 70). There is no merit to

petitioner's contention (Pet. 2, 11) that the court erred in sending the indictment to the jury room without also sending the bill of particulars, which narrowed the scope of the indictment so that the jury could consider only the two defendants as possible co-conspirators.

It was within the trial court's permissible discretion to send the indictment to the jury without also including the bill of particulars. Cf. *C.I.T. Corporation* v. *United States*, 150 F. 2d 85, 91 (C.A. 9); *Little* v. *United States*, 73 F. 2d 861, 864 (C.A. 10). The court properly instructed the jury that the indictment was not evidence, but merely the means by which the case was brought to trial and the issues were framed (R. 2411). Early in the trial, the court informed counsel that the indictment would be given to the jurors for their deliberation on the verdict and stated, "If there are some parts of this indictment that the defense feels should not be read, advise me and I will consider not reading any portion as to which you think there should be an omission" (R. 1121-1122). The defense did not object to this procedure or ask for deletion of the part of the indictment charging the defendants' conspiracy with other unknown persons.

3. During deliberation on the verdict, the jury asked the court whether one Shayne could be convicted on the conspiracy count without convicting the other. After referring to its earlier instructions regarding conspiracy, the court stated (R. 2453-2454):

> While it is necessary that there be two or more conspirators, one of the persons on trial can be found to have not been one of the two or more.

> Now, the case as it has developed here has presented the possibility that many persons other than those on trial might lawfully be found to have been members of a conspiracy. And if you believe one or the other or both of the defendants were members of such conspiracy, then you could return a verdict of guilty as to such defendant.

The jury then asked whether, in the event they found a conspiracy in one count, it would affect the other counts. The judge replied in part that "the fact that you arrive at a verdict on the conspiracy does not foretell what your verdict would be on the other counts" (R. 2454-2455).

Petitioner argues that, since the Government by its bill of particulars stated that it would not "contend" that other persons were co-conspirators with the two defendants, the quoted instruction was erroneous in placing the defendants on trial for a charge not made (Pet. 12-13, 20). Since the defense did not object to the instruction as given, it is foreclosed from raising the issue now. Rule 30, F. R. Crim. P. Moreover, in the light of the whole colloquy and in view of the fact that petitioner was acquitted on the substantive counts, the instruction now objected to was favorable to petitioner since it permitted the jury to find Max Shayne (whom the jury obviously considered the guiltier of the two) alone guilty of conspiracy.

4. There is no merit to petitioner's assertion that the indictment failed to disclose the nature of the accusation against him (Pet. 13). Count I of the indictment (Vol. I, 2-5) sufficiently charged a conspiracy for obtaining money under fraudulent FHA loans, with

knowledge that the money would not be used for home improvements. It described in detail the period of time the conspiracy was in effect, its object and method of operation, and enumerated specific overt acts.

5. a. Prior to trial, the defendants filed a lengthy motion for a bill of particulars which requested, among other things, the false statements involved in each count, the exact sums diverted for use of applicant-buyers and their purposes, the times, places, and persons present during the conspiracy, and names of the co-conspirators (Vol. I, 16-22). This motion was granted as to paragraphs 2, 6, 8, 10, and 11 thereof (Vol. I, 69). The bill of particulars as to paragraph 2 stated that the "Government will not contend at the trial that any other persons were co-conspirators with the defendants"; as to paragraph 6, listed certain homeowners; as to paragraph 8, listed certain documents; as to paragraph 10, named several salesmen; and as to paragraph 11, listed companies used by the defendants to purport to show that work had been completed (Vol. I, 70-71). This was sufficient information to enable petitioner to prepare his defense.

b. Defendants filed a motion under Rule 16, F. R. Crim. P., for discovery and inspection of "all books, all papers, all documents, and all tangible objects relating to the within cause and in possession of the plaintiff, which items were (1) obtained from these defendants, or (2) belonged to these defendants, or (3) were obtained from others by seizure or process" (Vol. I, 23-24). The court ordered that this motion should be granted as to documents "obtained from these defendants", but denied as to the remainder (Vol. I, 69). Defendants also moved for production under a subpoena duces tecum under Rule 17(c), F. R. Crim. P., of

all documents, books, papers, objects (except memoranda prepared by Government counsel) including all papers, memoranda, and records solicited by, or presented or volunteered to any agency of the Government. This was denied (Vol. I, 29-31).

Petitioner contends that the trial court erred in not granting these motions in their entirety (Pet. 14-15). The court, however, acted well within its discretion in its rulings on these motions, which were too broad in seeking complete discovery of the Government's case. Insofar as the Government had obtained anything from the defendants, the motion for discovery was granted, and there was no showing that any additional matter had been acquired by seizure or process. The defendants' all-inclusive subpoena under Rule 17(c) was properly denied as in the nature of a "fishing expedition." Cf. *Bowman Dairy Co.* v. *United States*, 341 U. S. 214, 221.

Jencks v. *United States*, 353 U. S. 657 (see Pet. 15), requires production of statements by Government witnesses for purposes of impeachment after they have begun their testimony. See also 18 U.S.C. (Supp. V) 3500. In the one instance at the trial where the defense demanded such a statement, it was produced and introduced in evidence (R. 1046-1049, 1051-1052).

6. Petitioner makes the broad assertion that 18 U.S.C. 1010 (*supra*, p. 3) is unconstitutional and void by reason of vagueness. He does not point out wherein the alleged indefiniteness of the statute inheres, or how he was prejudiced in not being clearly informed of the nature of the charge against him (Pet. 16).

This Court has observed that the test of whether a statute can survive an attack for vagueness is "whether the language conveys sufficiently definite warning as to

the proscribed conduct when measured by common understanding and practices." *Jordan* v. *DeGeorge*, 341 U. S. 223, 231-232. 18 U.S.C. 1010 meets this test. It prohibits the making, passing, or publishing of any statement, knowing it to be false, forged or counterfeited, for the purpose of influencing the action of the Federal Housing Administration on an insured loan. The language is definite and contains terms readily susceptible of common understanding.

7. There is no substance to petitioner's contention that the court erred in failing to instruct the jury that 18 U.S.C. 1010 required application of the perjury rule requiring two witnesses, or one witness plus independent corroboration (Pet. 16-18).

The principal reasons behind the two-witness rule are that a conviction for perjury ought not to rest entirely upon "an oath against an oath," and the fear that innocent witnesses might be too easily convicted of perjury if a less stringent rule were applicable. *Weiler* v. *United States*, 323 U. S. 606, 609. These reasons are not applicable in a prosecution under 18 U.S.C. 1010, which does not even require that the false statement be under oath—an ingredient implicit in perjury. It is established that the perjury rule does not apply to prosecutions under an analogous statute, 18 U.S.C. 1001, proscribing false statements about any matter within the jurisdiction of any department or agency of the United States. *E.g., Fisher* v. *United States*, 231 F. 2d 99, 105-106 (C.A. 9); *Todorow* v. *United States*, 173 F. 2d 439, 443-444 (C.A. 9), certiorari denied, 337 U. S. 925. See also *Gold* v. *United States*, 237 F. 2d 764, 765-767 (C.A. D.C.), reversed on another ground, 352 U. S. 985.

8. Petitioner contends that the evidence was insufficient to support his conviction (Pet. 18-19, 22). The trial court observed that this is the "strongest case of its kind we have had in this department, so far as the evidence is concerned" (R. 2553). Both courts below having found the evidence sufficient, there is no occasion for further review of the evidence by this Court. See *Kann* v. *United States,* 323 U. S. 88, 93; *United States* v. *Johnson,* 319 U. S. 503, 518; *Delaney* v. *United States,* 263 U. S. 586, 589-590.

The doctrine of *res judicata* does not apply to make petitioner's acquittal under the substantive counts a bar to the conspiracy conviction. Unlike *Sealfon* v. *United States,* 332 U. S. 575, where the conspiracy and substantive counts were litigated in successive trials under separate indictments, here the conspiracy and substantive counts were litigated in the same trial and there was additional and different evidence introduced under the conspiracy count. Consistency in a jury's verdict is not required. Cf. *United States* v. *Petti,* 168 F. 2d 221, 224 (C.A. 2); *United States* v. *Bazzell,* 187 F. 2d 878, 884-885 (C.A. 7), certiorari denied, 342 U. S. 849.

9. While the clerk was polling the jury, juror Sampson, who wore a hearing aid, at first misunderstood the question as to whether his verdict was guilty on the various counts against Max Shayne, but answered that this was his verdict after the question and verdict were read to him again (R. 2499-2501). Counsel for both defendants moved for a new trial on the ground that this juror probably did not hear all the trial testimony (R. 2504-2505, 2516). The court observed, however, that this juror had heard the questions on voir dire, that he had been alert during the trial, and that the

question of his defective hearing had not been raised during the trial. The court made a finding that the juror had heard the evidence at the trial (R. 2505, 2516-2517, 2547-2548).

The two defendants made affidavits that during the trial juror Jones fell asleep for between one to two minutes (R. 2554). The court, however, stated that the whole incident took only about 30 seconds from the time when the juror dozed off on a hot day and the bailiff walked over to awaken him (R. 2549-2550, 2555). This occurred on about the sixth day of a trial lasting almost a month, at a time when a Government witness was giving "telling evidence against the defendants" (R. 2552). In its ruling on the motion for a new trial, the court viewed the incident as "trivial", and emphasized that, if the defendants had considered it prejudicial, they would have objected at the trial, when an alternate juror could have replaced juror Jones (R. 2552-2553).

Under the circumstances, the trial court acted well within its discretion in denying the motion for a new trial (Pet. 20-21). Cf. *Bush* v. *United States*, 16 F. 2d 709, 711 (C. A. 5); *United States* v. *Baker*, 24 Fed. Cas. No. 14,499 (S.D. N.Y.); *United States* v. *Boyden*, 24 Fed Cas. No. 14,632 (D. Mass.).

10. Petitioner contends (Pet. 21-22) that, since only overt acts 5 and 6 occurred within three years of the return of the indictment and since he was acquitted of the substantive offenses involving those transactions, the conspiracy was barred by the then-existing three-year statute of limitations (18 U.S.C. 3282).[2] The statute of limitations runs from the last

[2] Overt acts 5 and 6 occurred in April 1953 and the indictment was returned on January 4, 1956 (Vol. I, 2-5, 213). 18 U.S.C. 3282 was amended on September 1, 1954 to increase the limitations period from three to five years.

overt act during the existence of the conspiracy. *Fiswick* v. *United States,* 329 U. S. 211, 216; *Brown* v. *Elliott,* 225 U. S. 392, 401.

Petitioner's premise, that by reason of his acquittal under count II he was also exonerated of the transactions in overt acts 5 and 6, is not correct. The substantive charge regarding the Thompson fraud in count II was much broader than overt acts 5 and 6, even though both acts were related to the events alleged in count II. It was entirely possible that the jury might have believed that both defendants engaged in either of the transactions alleged in overt acts 5 and 6, and yet might not have been convinced that there was sufficient additional evidence to hold petitioner on the substantive count. Moreover, as already pointed out (*supra,* p. 15), consistency in a jury's verdict is not required.

CONCLUSION

For the reasons stated, it is respectfully submitted that the petition for a writ of certiorari should be denied.

J. LEE RANKIN,
Solicitor General.
MALCOLM ANDERSON,
Assistant Attorney General.
BEATRICE ROSENBERG,
ROBERT G. MAYSACK,
Attorneys.

AUGUST 1958.

☆ U. S. GOVERNMENT PRINTING OFFICE 1958 474434 129